

**CORE PRINCIPLES FOR AN EFFECTIVE  
POLICE AUDITOR'S OFFICE**

Report of the

**FIRST NATIONAL POLICE AUDITORS CONFERENCE**

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## **INTRODUCTION**

The police auditor has emerged as an alternative form of citizen oversight of the police.

The distinguishing feature of police auditors is that they are not primarily responsible for investigating individual citizen complaints, as is the case with citizen review boards. Instead, police auditors are responsible for monitoring/auditing the citizen complaint process. Most auditors also review aspects of police operations. Some police auditor offices do investigate individual complaints, however.

As official government agencies, auditors have access to internal police records. The scope of this access is generally spelled out by ordinance or administrative rule.

Police auditors are designed to enhance police accountability by making periodic public reports based on their monitoring/auditing activities. In this respect they contribute to greater openness with respect to police complaint procedures. These reports often include specific recommendations for change in either the complaint process or other aspects of police operations.

One of the most valuable features of police auditing is that as permanent government agencies they have the capacity to follow-up on previous reports and recommendations and monitor the implementation of change.

There are eleven police auditor offices, covering ten law enforcement agencies, in the United States at this time. A complete list appears on page three of this report.

Police auditor offices take many different forms, as is the case with all citizen oversight agencies. Some are relatively more independent than others. The powers and responsibilities of auditors' offices are spelled out by ordinance or contract.

In March, 2003 the Police Professionalism Initiative (PPI) hosted the First National Police Auditors Conference which brought together representatives of all of the existing auditors offices.

The purpose of the conference was to facilitate a discussion among the auditors regarding the nature of their offices, their accomplishments to date, the problems they have encountered, and needs of effective police auditing.

This report represents one product of the conference. Participants at the conference spent one session defining the core principles of police auditing and the features that are necessary for an effective police auditing office.

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## **REFERENCES**

Police auditors are described in Samuel Walker, *Police Accountability: The Role of Citizen Oversight* (Belmont: Wadsworth, 2001).

Links to citizen oversight agencies, along with a discussion of issues related to police auditors, can be found at: [www.policeaccountability.org](http://www.policeaccountability.org)

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**POLICE AUDITOR OFFICES IN THE UNITED STATES**

Austin Police Monitor

Boise Community Ombudsman

Los Angeles County Special Counsel

Los Angeles County Office of Independent Review

Omaha Public Safety Auditor

Philadelphia Office of Integrity and Accountability

Portland (OR) Independent Police Review Division

Sacramento Office of Police Accountability

San Jose Independent Police Auditor

Seattle Office of Professional Accountability

Tucson Independent Police Auditor

## **CORE PRINCIPLES FOR AN EFFECTIVE POLICE AUDITOR'S OFFICE**

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### **INDEPENDENCE**

A police auditor's office must be fully independent of the law enforcement agency under its jurisdiction.

Specific language in the enabling ordinance must indicate that an auditor may be removed from office only for cause and through a clearly defined removal process.

### **CLEARLY DEFINED SCOPE OF RESPONSIBILITIES**

The scope of the responsibilities of a police auditor's office must be clearly defined by ordinance (or contract).

Specific language, for example, must define the auditor's responsibility to audit complaint files, have unfettered access to all relevant records and reports, to make policy recommendations, to issue public reports, to investigate individual critical incidents, and so on.

### **ADEQUATE RESOURCES**

A police auditor's office must have adequate resources to ensure that all duties can be conducted effectively and efficiently.

Adequate resources primarily include full-time professional and clerical staff.

Part-time staff only are not considered adequate.

Volunteer staff are not adequate.

The exact size of an auditor's office staff should be based on a formula reflecting the size of the law enforcement agency under the auditor's jurisdiction, as measured by the number of full-time sworn officers.

### **UNFETTERED ACCESS**

A police auditor must have unfettered access to all documents and data in the law enforcement agency.

This unfettered access must be spelled out in the enabling ordinance.

The only exception to this rule would be files related to an on-going criminal investigation.

All documents must be provided to the police auditor without charge to the auditor's office.

### **FULL COOPERATION**

A police auditor must have the full cooperation of all employees of the law enforcement agency under its jurisdiction.

All employees, including sworn officers, shall cooperate as a condition of their employment.

With respect to potential self-incrimination, the standards defined in *Garrity v. New Jersey* shall prevail.

## **SANCTIONS FOR FAILURE TO COOPERATE**

The enabling ordinance of an auditor's office must specify sanctions for failure to cooperate with the work of an auditor on the part of any law enforcement agency employee.

## **PUBLIC REPORTS**

A police auditor must issue periodic public reports.

Such public reports shall be issued at least once a year and, ideally, more frequently.

## **NO PRIOR CENSORSHIP BY THE POLICE DEPARTMENT**

Reports by the police auditor shall not be subject to prior censorship by the law enforcement agency.

A police auditor may reject any and all demands by the law enforcement agency to see draft copies of public reports.

## **COMMUNITY INVOLVEMENT**

A police auditor must have the benefit of community involvement and input.

Community involvement and input can best be achieved through an advisory board consisting of members who represent the diverse composition of the local population.

**CONFIDENTIALITY / ANONYMITY**

The work of a police auditor must respect the confidentiality of public employees as defined in the applicable state statute.

Violation of confidentiality shall be considered a serious breach of professional standards.

In the interests of enhancing public understanding, a police auditor may report on specific incidents with personal identifiers removed without violating standards of confidentiality.

**ACCESS TO THE POLICE CHIEF / SHERIFF**

A police auditor must have direct access to the chief executive of the law enforcement agency under its jurisdiction.

Upon request, a police chief or sheriff must agree to meet with the police auditor.

It is understood that a chief executive may decline to meet in the case of an unreasonable number of such requests.

Failure to meet with a police auditor for a period of one year shall be considered unsatisfactory performance on the part of a chief executive and be taken into consideration in performance review.

**NO RETALIATION**

The enabling ordinance of an auditor's office must specify that there shall be no retaliation against the auditor for work done as a part of the auditor's responsibilities, including statements made in public reports.